

REMARKS

This Amendment is submitted in response to the Office Action mailed September 26, 2000, wherein claims 1-34 were subject to various objections and rejections. With this amendment, claims 1-34 have been cancelled, without prejudice. It is noted that claims 1-34 were not cancelled to overcome the objections and rejections of such claims, or in light of the cited references. Rather, claims 1-34 were cancelled to facilitate prosecution of broader claims, to which the Applicant is entitled. In light of the cancellation of claims 1-34, the Examiner's objections/rejections to claims 1-34 are rendered moot.

New claims 35-71 have been introduced with this amendment. Support for the new claims can be found, for example, in the original specification, figures and/or claims - no new matter has been introduced.

As will be developed more fully below, Applicant respectfully asserts that new claims 35-71 are neither anticipated nor rendered obvious by the cited references.

The Hisamura Reference

Certain of the original claims 1-34 were rejected as being anticipated by a patent issued to Hisamura (USP 5,678,188) pursuant to 35 USC 102(b). Hisamura is generally drawn to an emergency message communication method for use in a mobile wireless telephony environment (see, e.g., col. 1, lines 7-10; col. 3, lines 24-33; col. 4, line 34 through col. 5, line 18; and Fig. 1). Accordingly, a user generally initiates a call by entering a telephone number at the subscriber unit and pressing a "send" or "talk" button, whereby the telephone number is transmitted to a base station which, if a communication channel is available, facilitates completion of the call.



Similarly, in the instance when an emergency telephone number is entered, the user enters the telephone number and presses "send" (or an equivalent) to send the emergency telephone number to the base station. The base station detects receipt of an emergency telephone number and, if no communication channel is available, the base station under the control of the control center,
5 implements a power optimization (appropriate for the CDMA system described in Hisamura) within the coverage area to attempt to provide a communication channel for the emergency telephone call (see, e.g., col. 4, lines 34-55 wherein base station authentication of the emergency status of a received telephone number is required before implementing the emergency call completion procedure).

10 Whereas the Hisamura reference is drawn to solving the problem of handling emergency calls in a mobile environment, the present invention is drawn to solving the problem of handling emergency calls in a fixed wireless (WLL) environment. Thus, in contradistinction to the Hisamura reference, the claimed invention is directed to a system and related methods for implementing an emergency channel allocation scheme in a wireless local loop environment.

15 Unlike the Hisamura reference, wherein authentication of the emergency telephone number is performed by the base station (perhaps in a negotiation performed with the subscriber unit), new claims 35-71 denote that the identification of an emergency call is performed by the wireless local loop subscriber unit, which then issues a priority channel request to the communication station (used interchangeably with base station) to obtain a communication channel even if no
20 such communication channels are otherwise available. Claim 35, for example, is drawn to a wireless local loop subscriber unit implement a method to facilitate a telephone call comprising:

determining whether a communication channel is available
at a servicing communication station to accommodate the



telephone call upon detecting an off-hook signal from a telephone interface;

providing the telephone interface with an indication denoting the unavailability of a communication channel if it is determined that the communication station does not have a communication channel available; and enabling receipt of one or more digits of a telephone number from the telephone interface even if no communication channels are available to determine whether a priority channel request is required to facilitate an emergency telephone call.

Applicant respectfully submits that the Hisamura reference fails to disclose or suggest a subscriber unit that (1) first determines whether a communication channel is available prior to receipt of telephone numbers from the telephone interface; (2) provides the user with an indication of whether any communication channels exist prior to entry of a telephone number by the user; (3) accepts telephone number input from a user despite the fact that no communication channels are currently available; (4) independently determines whether a received telephone number corresponds to an emergency service; and/or (5) issues a priority channel request for a communication channel to the base station after having already determined that no communication channels are currently available and upon independently detecting entry of a telephone number associated with an emergency service, as claimed in one or more of claims 35-71.

The LeBlanc Reference

Acknowledging that the Hisamura reference failed to disclose or suggest the use of a reserve channel, a patent issued to LeBlanc (USP 5,596,625) was cited in combination with the Hisamura reference to render certain ones of cancelled claims 1-34 obvious, pursuant to 35 USC 103(a). In response, without the need to further address the LeBlanc reference, Applicant notes




that the LeBlanc reference fails to disclose or suggest subscriber unit that (1) first determines whether a communication channel is available prior to receipt of telephone numbers from the telephone interface; (2) provides the user with an indication of whether any communication channels exist prior to entry of a telephone number by the user; (3) accepts telephone number input from a user despite the fact that no communication channels are currently available; (4) independently determines whether a received telephone number corresponds to an emergency service; and/or (5) issues a priority channel request for a communication channel to the base station after having already determined that no communication channels are currently available and upon independently detecting entry of a telephone number associated with an emergency service, as claimed in one or more of claims 35-71. That is, the LeBlanc reference fails to cure the foregoing deficiencies identified in the Hisamura reference. Accordingly, Applicant respectfully asserts that neither the Hisamura reference nor the LeBlanc reference, alone or in combination, anticipate or render obvious that which is claimed in new claims 35-71.

Accordingly, Applicant respectfully asserts that new claims 35-71 are in condition for allowance, and earnestly awaits notice thereof.

Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,
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